

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TATIANA WESTBROOK, an individual;  
JAMES WESTBROOK, an individual;  
HALO BEAUTY PARTNERS, LLC, a  
Nevada Limited Liability Company,

Plaintiffs,

v.

KATIE JOY PAULSON, an individual;  
WITHOUT A CRYSTAL BALL, LLC, a  
Minnesota Limited Liability Company; and  
DOES 1 through 100, inclusive,

Defendants.

NO. 2:20-cv-01606 BJR

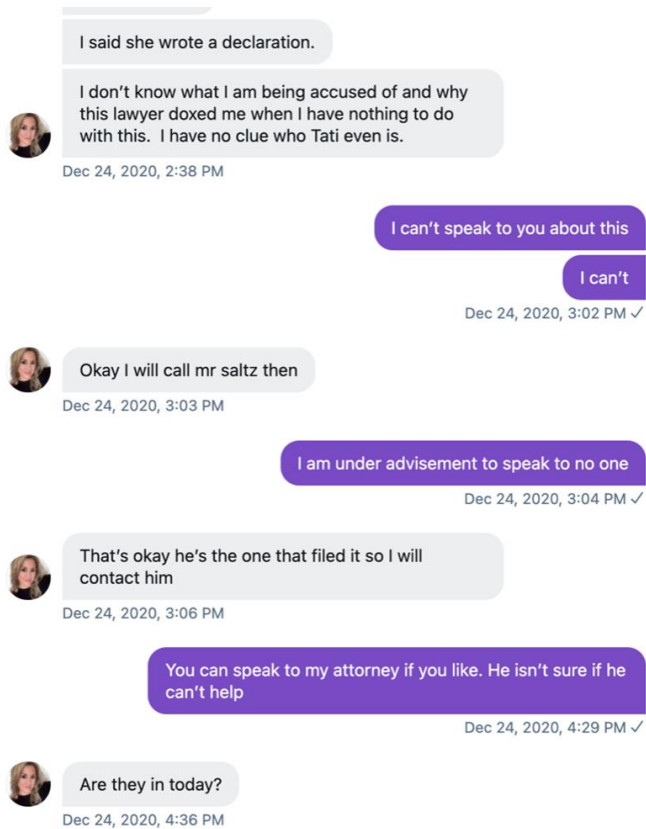
SECOND SUPPLEMENTAL  
DECLARATION OF KATHERINE  
PAULSON IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS

Katherine Paulson declares as follows:

1. I am over the age of 18 and am named as a defendant in this action. I make this declaration based on personal knowledge.

2. I make this declaration to respond to assertions contained in the Declaration of Lori Ann Barnhart (Dkt. 38-1). I will refer that at the "Second Declaration."

3. The Second Declaration asserts that Ms. Barnhart contacted me to tell me it was her intention to contact Plaintiffs' attorneys, to notify them about the inclusion of the work contact information of the "wrong" Lori Barnhart, and that I "told [her] expressly to not contact Plaintiffs' Counsel, but to contact her attorney, Michael P. Brown, instead." Dkt 38-1 at ¶19. This is completely false. The *actual* December 24, 2020 conversation (from Twitter) is set forth below. I simply told Ms. Barnhart "You *can* speak to my attorney *if you like*. He isn't sure if he can help." (Emphasis added). I did not "tell her not to contact" Plaintiffs' attorneys. The purple boxes are my responses to her messages (in gray):



Dec 24, 2020, 3:06 PM

... You can speak to my attorney if you like. He isn't sure if he can't help

Dec 24, 2020, 4:29 PM ✓

 Are they in today?

Dec 24, 2020, 4:36 PM

Yes

His name is Michael mbrown@gordontilden.com

Dec 24, 2020, 4:38 PM ✓

 Okay thank you

Dec 24, 2020, 4:39 PM

I can't speak to anyone.

 1

Dec 24, 2020, 4:41 PM ✓

 I understand

Dec 24, 2020, 4:41 PM

I'm really sorry

Dec 24, 2020, 4:47 PM ✓

It's not you. This is how they silence people. I can only imagine how you and your family are doing. Reach out if you like. Funny how me, zag, and boots momma all got doxed around the same time when that slimy lawyer came on the scene. I know you can't talk I'm just venting. 

Dec 24, 2020, 5:01 PM

I can't speak about anything - again I'm sorry

Dec 24, 2020, 5:18 PM ✓

1           4.       The Second Declaration asserts that Ms. Barnhart and I communicated on an  
2  
3 “extremely frequent basis.” This is not true. We communicated infrequently, mostly over  
4  
5 Twitter. I do not believe we ever spoke by telephone or communicated by email.

6           5.       The Second Declaration asserts that I knew Ms. Barnhart was from Washington  
7  
8 since May of 2020 and that she “disclosed” this to me numerous times. This is also not true. I do  
9  
10 not recall her ever telling me where she was from, nor did I notice anything on her Facebook  
11  
12 page stating where she was from (if it did include that information). I had a large number of  
13  
14 Facebook “friends” and I paid little attention to any one of them or their “profiles.” I did not  
15  
16 become aware of Ms. Barnhart’s state of residence until recently in the context of the personal  
17  
18 jurisdiction dispute.

19           6.       The Second Declaration asserts that I somehow deputized Ms. Barnhart to  
20  
21 perform “tasks” for me as my “agent” or “bulldog.” This is nonsense. Ms. Barnhart voluntarily  
22  
23 inserted herself into my channel and into social media conversations related to my channel. I  
24  
25 never asked her to perform any “tasks” for me. In Paragraph 10, Ms. Barnhart refers to an  
26  
27 exchange we had after I blocked someone from communicating with me, because of what I  
28  
29 found to be inappropriate conduct. I casually stated that Ms. Barnhart could explain to this  
30  
31 person why she had been blocked. This was not an “assignment” from me to an “agent” or  
32  
33 “bulldog.”

34           7.       The Second Declaration asserts that I instructed Ms. Barnhart to “mass flag”  
35  
36 competitors. This is false. In the case of content creator Lil Red, my recollection is as follows. I  
37  
38 noticed during one of my live stream videos that Lil Red was “rebroadcasting” *my* livestream  
39  
40 live on its channel, which is a copyright violation and against the terms of use. I was busy doing  
41  
42 my live stream, so I asked my “audience” to flag *that one video* because I could not. This is not  
43  
44 “mass flagging.” In the second “case” Ms. Barnhart references, Sharrell’s World, my recollection  
45  
is as follows. That creator falsely accused me of hacking her and of using a racial slur. Ms.  
Barnhart was upset by these false allegations and wanted to know what to do. I simply told her

1 that YouTube has a reporting system if she feels like content is breaking community guidelines. I  
 2 did not instruct her to report. Ms. Barnhart believed Sharrell's World violated the community  
 3 guidelines and wanted to do something. Again, this is not "mass flagging." As the name  
 4 suggests, mass flagging refers to indiscriminately reporting all of a competitors' videos to  
 5 YouTube as violating policies, for the purpose of harassing and interfering with their business. I  
 6 have never done that or anything close.

11 8. I did on occasion make facetious references on Twitter to Ms. Barnhart being one  
 12 of my "ride-or-dies" who would defend me online. It was not meant literally (obviously). It was  
 13 a half-joking reference to the fact that Ms. Barnhart *chose* to defend me online from what she  
 14 perceived as unfair treatment. But I did not instruct her to do so, nor was she acting as my  
 15 "agent." I understand Ms. Barnhart confirmed this in an email to my attorney, saying: "She [me]  
 16 has done nothing wrong and I always expressed that I stand alone. I was standing up for what  
 17 was right and I am against bullying and harassment and I know that Katie is too." Supplemental  
 18 Brown Declaration, Ex. B at 18.

28 I declare pursuant to the laws of perjury of the United States of America that the  
 29 foregoing is true and correct.

33 DATED this 22nd day of January, 2021 at Hanover, Minnesota.

37 \_\_\_\_\_  
 38 Katherine Paulson

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45 SECOND SUPPLEMENTAL DECLARATION OF  
 KATHERINE PAULSON IN SUPPORT OF DEFENDANTS'  
 MOTION TO DISMISS - 5

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 CORDELL 206.467.6477